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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,387	04/26/2001	Kamal Emile Dimitri	TUC920000085US1	9964

7590 06/10/2004

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EXAMINER

BATAILLE, PIERRE MICHE

ART UNIT PAPER NUMBER

2186

DATE MAILED: 06/10/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/843,387

Applicant(s)

DIMITRI ET AL.

Examiner

Pierre-Michel Bataille

Art Unit

2186

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
4a) Of the above claim(s) 15-22 is/are withdrawn from consideration.
5) ☒ Claim(s) 13 and 14 is/are allowed.
6) ☒ Claim(s) 1-3 is/are rejected.
7) ☒ Claim(s) 4-12 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. This Office Action is taken with the backing of the telephone communication with Dale F. Regelman (Reg. #45,625) dated June 9, 2004, which results in election of Group I, claims 1-14.
2. Claims 15-22 (Group II) are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse.
3. This application contains claims 15-22 drawn to an invention nonelected without traverse. A complete reply to the present Office Action must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.
4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Specification

5. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors.

New formal drawing will be required upon allowance of the application.

It appears that the word "displays" should be inserted after "display device apparatus" (claim 3). Please note that these are merely exemplary; applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7. Claims 1-3 are rejected under 35 U.S.C. 102(a) as being anticipated by US 6,098,146 (Bouvier et al).

With respect to claim 1, Bouvier teaches a hard disk library (SSA storage system Fig. 3A), comprising: a plurality of hard disk storage slots (***storage drive bays 50-1 to 50-8***); a plurality of backplane connectors (***storage connectors 44, 46***); a plurality of hard disk drives removably disposed within said plurality of hard disk drive slots (***SSA storage target drive insertably mounted in a corresponding disk bay included in the disk pod***) [Col. 5, Lines 16-17, Lines 26-32], wherein each of said first plurality of hard disk drives is in an electrical contact with one of said plurality of backplane connectors (***disk pod housing receiving electrical power from the backplane***) [Col. 8, Lines 10-21; Col. 7, Lines 8-14]; a power source which supplies power to each of said plurality of backplane connectors (***power lines providing power to the drive bays***) [Col. 8, Lines 10-21]; and a controller which provides first information to each of

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said first plurality of hard disk drives (*microcontroller 70*)) [Col. 6, Lines 34-45; Col. 8, Lines 10-21].

With respect to claim 2, Bouvier teaches the storage system comprising a plurality of display devices (*control panel 78 including LCD or other type of display on which messages issued by the SSA initiator or the local microcontroller may be displayed*), wherein each of said plurality of display devices is connected to said power source, and wherein each of said plurality of display devices is disposed adjacent one of said plurality of hard disk drive slots [Col. 8, Lines 48-59; Col. 5, Lines 35-47].

With respect to claim 3, Bouvier teaches the storage system comprising a display apparatus (*control panel 78 including LCD or other type of display on which messages issued by the SSA initiator or the local microcontroller may be displayed*) the display apparatus for displaying the status of each of said plurality of hard disk drive slots, and wherein said display apparatus displays the status of each of said hard disk drive disposed within said storage library (*indicates the status of an operating parameter of the storage devices*) [Col. 2, Lines 15-27; Col. 5, Lines 35-47; Col. 8, Lines 48-59].

Allowable Subject Matter

8. Claims 13-14 are allowed.

9. Claims 4-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion


10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,564,290 (Lechner) teaching data carrier archiving and control system.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre-Michel Bataille whose telephone number is (703) 305-0134. The examiner can normally be reached on Tue-Fri (7:30A to 6:00P).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew M. Kim can be reached on (703) 305-3821. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Pierre-Michel Bataille
Primary Examiner
Art Unit 2186

June 9, 2004

**PIERRE BATAILLE
PRIMARY EXAMINER**